

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RIZWAN CHAUDHRY,

Petitioner,

v.

JOHN TSOUKARIS, et al.,

Respondents.

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Civ. No. 16-0414 (KM)

MEMORANDUM AND ORDER

The petitioner, Rizwan Chaudhrey, is an immigration detainee currently housed at the Essex County Correctional Facility in Newark, New Jersey. He is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner has not paid the \$5.00 filing fee. Furthermore, while petitioner submitted an application to proceed *in forma pauperis*, it is blank and unsigned. Accordingly, petitioner's application to proceed *in forma pauperis* will be denied without prejudice and the Clerk will be ordered to administratively terminate this case.

In addition the petitioner has not signed his habeas petition. In accordance with Rule 2(c)(5) of the Rules Governing Section 2254 Cases, applicable to § 2241 cases through Rule 1(b) of the Rules Governing Section 2254 Cases, petitioner must provide the Court with a signed copy of his habeas petition prior to this Court screening the habeas petition. *See also* FED. R. CIV. P. 11(a).

Therefore, IT IS this 26th day of January, 2016,

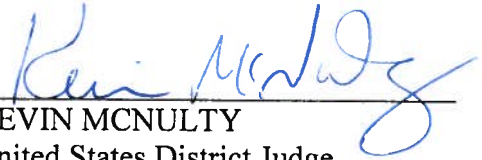
ORDERED that petitioner's application to proceed *in forma pauperis* is denied without prejudice; and it is further

ORDERED that the Clerk shall administratively terminate this case for petitioner's failure to either pay the requisite filing fee of \$5.00 or submit a complete application to proceed *in forma pauperis*; and it is further

ORDERED that if petitioner wishes to reopen this action, he shall, within 30 days after this Order, notify the Court in writing and supply a complete **signed** copy of his habeas petition; and it is further

ORDERED that if petitioner wishes to reopen this action, he shall, within 30 days after this Order, supply **either** (1) a complete and signed *in forma pauperis* application; **or** (2) the \$5.00 filing fee.

The Clerk shall serve a copy of this Order and a blank form application to proceed *in forma pauperis* by a non-prisoner (AO 239) to petitioner by regular U.S. mail.



KEVIN MCNULTY
United States District Judge